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MAXLINEAR, INC. and MAXLINEAR  
COMMUNICATIONS, LLC

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

ENTROPIC COMMUNICATIONS,  
LLC,

Plaintiff,

v.

DISH NETWORK CORPORATION,  
et al.,

Defendants.

DISH NETWORK CORPORATION;  
DISH NETWORK L.L.C.; DISH  
NETWORK SERVICE L.L.C.; DISH  
NETWORK CALIFORNIA SERVICE  
CORPORATION; AND DISH  
TECHNOLOGIES, L.L.C.,

Counter-Claimants,

v.

ENTROPIC COMMUNICATIONS,  
LLC; MAXLINEAR, INC.; AND  
MAXLINEAR COMMUNICATIONS  
LLC,

Counter-Defendants.

Case No. 2:23-cv-1043-JWH-KES  
Lead Case

**COUNTER-DEFENDANTS  
MAXLINEAR, INC. AND  
MAXLINEAR COMMUNICATIONS  
LLC'S APPLICATION TO FILE  
UNDER SEAL OBJECTION TO  
SPECIAL MASTER'S REPORT AND  
RECOMMENDATION ON  
MOTIONS REFERRED BY COURT  
ON FEBRUARY 9, 2024, AND  
MARCH 26, 2024**

Action Filed: Feb. 10, 2023  
Am. Counterclaims and Counterclaims  
Filed: Jan. 31, 2024

Pursuant to Local Rule 79-5.2.2(a) and (b) governing documents to be filed under seal, Counter-Defendants MaxLinear, Inc. and MaxLinear Communications LLC (collectively, “MaxLinear”) hereby submit their Application for Leave to File Under Seal Objection to Special Master’s Report and Recommendation on Motions Referred by Court on February 9, 2024 and March 26, 2024 (“Objection”).

MaxLinear seeks leave to file under seal highlighted portions of MaxLinear’s Objection that quote from or reference (1) Exhibit B (ECF No. 372) to MaxLinear’s previously filed Request for Judicial Notice (ECF No. 360), and (2) portions of the Special Master’s Report and Recommendation that have been filed under seal. The Court granted MaxLinear’s application to file under seal Exhibit B (ECF No. 368).

Document to be sealed	Portions to be sealed (page:line(s))
Portions of MaxLinear’s Objection that quote from or reference (1) Exhibit B (ECF No. 372) to MaxLinear’s previously filed Request for Judicial Notice (ECF No. 360) and (2) portions of the Special Master’s Report and Recommendation that have been filed under seal.	6:26-27; 9:18-19; 10:22-23; 10:26; 11:3-13; 11:18; 11:24-25; 12:3-4

Dish Network Corporation, Dish Network L.L.C., Dish Network Service L.L.C., Dish Network California Service Corporation, and Dish Technologies, L.L.C. (collectively, “Dish”) designated the document in Exhibit B as “Highly Confidential – Attorneys’ Eyes Only” under the operative protective order (ECF No. 156). (Lanham Decl. ¶ 5.) Dish confirmed that it did not oppose filing the portions of the Objection under seal. (*Id.* ¶ 6.)

Pursuant to Local Rule 79-5.2.2(a) and (b), MaxLinear applies to file under seal the document listed above. Under Rule 79-5.2.2(a), a party may seek leave to file a document under seal so long as the Application describes the nature of the

1 information that should be closed to public inspection and is accompanied by: (1) a  
2 declaration establishing good cause why the strong presumption of public access in  
3 civil cases should be overcome and informing the Court whether anyone opposes  
4 the Application; (2) a proposed order; (3) a redacted version of the relevant  
5 documents; and (4) an unredacted version of the relevant documents. MaxLinear  
6 has complied with these requirements. The information that MaxLinear seeks to  
7 seal under Rule 79-5.2.2(a) is contained within a sealed Report and  
8 Recommendation that quotes from or references a confidential agreement between  
9 MaxLinear, Inc. and Entropic Communications, LLC. The information that  
10 MaxLinear seeks to seal under Rule 79-5.2.2(b) is contained in a confidential  
11 agreement between EchoStar Technologies Corp. and a third-party entity, which  
12 Dish has designated “Highly Confidential – Attorneys’ Eyes Only” under the  
13 operative protective Order (ECF No. 156) and which has been previously filed  
14 under seal (ECF No. 372). The public does not have an interest in accessing this  
15 confidential information. Additionally, MaxLinear’s request is narrowly tailored to  
16 only prevent the public from viewing confidential information. Finally, Dish does  
17 not oppose MaxLinear’s under seal filing as to information Dish has designated as  
18 Highly Confidential.

19 Therefore, compelling reasons exist to seal the highlighted portions of the  
20 above documents. *See Aya Healthcare Servs., Inc. v. AMN Healthcare, Inc.*, 2020  
21 WL 1911502, at \*5 (S.D. Cal. Apr. 20, 2020) (“The Court agrees that compelling  
22 reasons exist to seal references . . . to Defendants’ proprietary business records that  
23 detail sensitive financial terms, proprietary business strategies, and confidential  
24 negotiations and agreements with third parties.”); *In re Qualcomm Litig.*, 2019 WL  
25 1557656, at \*3 (S.D. Cal. Apr. 10, 2019) (granting motions to seal “confidential  
26 business information of the parties, including trade secrets, proprietary business  
27 records, discussions of internal strategy, company dealings, and materials  
28 designated as ‘Highly Confidential’”).

1 MaxLinear respectfully requests that this Court order the unredacted  
2 document to be filed under seal. Redacted and unredacted versions of the  
3 Objection are filed herewith.

4 This Application is accompanied by a Declaration of John R. Lanham and a  
5 Proposed Order.

1 Dated: May 13, 2024

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2  
3 By: /s/ John R. Lanham  
4 John R. Lanham

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